



Entered on Docket
September 23, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

Robert M. Charles, Jr. (NV 6593)
John Hinderaker (AZ 018024)
3993 Howard Hughes Parkway, Ste. 600
Las Vegas, Nevada 89169-5996
Telephone (702) 949-8320
Facsimile (702) 949-8321
Email: rcharles@lrlaw.com
jhinderaker@lrlaw.com
mruth@lrlaw.com

Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Ninth Omnibus
Objection Of USACM Trust To Proofs
Of Claim Based In Whole Or In Part Upon
Investment In The Del Valle Livingston
Loan**

Hearing Date: August 30, 2011
Hearing Time: 10:30 a.m.

The Court having considered the "Ninth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole Or In Part Upon Investment in The Del Valle Livingston Loan," ("Del Valle Livingston Loan") [DE 8541] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the

1
2 disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to
3 repayment by the borrower or from the collateral securing the Del Valle Livingston Loan;
4 and good cause appearing:

5 **IT IS ORDERED** that:

- 6 1. The Objection [DE 8541] is sustained; and
7 2. The claims listed on **Exhibit A** attached are disallowed in full to the extent
8 those claims are based upon an investment in the Del Valle Livingston Loan.
9

10 PREPARED AND RESPECTFULLY SUBMITTED BY:

11 **LEWIS AND ROCA LLP**
12

13 By /s/ John Hinderaker (AZ #018024)

14 Robert M. Charles, Jr.

15 John Hinderaker (*pro hac vice*)

16 3993 Howard Hughes Parkway, Ste. 600

17 Las Vegas, Nevada 89169-5996

18 Telephone: (702) 949-8320

19 Facsimile: (702) 949-8321

20 *Attorneys for USACM Liquidating Trust*
21
22
23
24
25
26

1 LOCAL RULE 9021 CERTIFICATION

2 In accordance with LR 9021, counsel submitting this document certifies that the order
3 accurately reflects the court's ruling and that (check one):

4 _____ This Court has waived the requirement set forth in LR 9021(b)(1).

5 XXX No party appeared at the hearing or filed an objection to the motion.

6 _____ I have delivered a copy of this proposed order to all counsel who
7 appeared at the hearing, and any unrepresented parties who appeared
8 at the hearing, and each has approved or disapproved the order, or
9 failed to respond, as indicated below [list each party and whether the
document]:

10 Counsel appearing: _____

11 _____ I certify that this is a case under Chapter 7 or 13, that I have served a
12 copy of this order with the motion pursuant to LR 9014(g), and that
13 no party has objected to the form or content of the order

14 U.S. Trustee: _____	
15 <input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
16 <input checked="" type="checkbox"/> waived the right to review the 17 order and/or	<input type="checkbox"/> failed to respond to the document
18 Other Party: _____	
19 <input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
20 <input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

21 Submitted by:
22 LEWIS AND ROCA LLP

23 By: /s/ John Hinderaker. (AZ #018024)
24 Attorneys for USACM Liquidating Trust

25
26 # # #

USACVI TRUST
Del Valle - Livingston Loan
Multiple Loan Claims

Claim	Date Claim was Filed	Name	Address	Total Claim Amount Relating to the Del Valle - Livingston Loan	Approximate Amount Subject to Objection Because it Relates to an Investment In the Del Valle - Livingston Loan
10725-02106	1/11/2007	T-2 Enterprises LLC	Manager Warren W Tripp 250 Greg St Sparks, NV 89431	811,713.52	100,000.00
10725-02107	1/11/2007	T-3 Enterprises LLC	Manager Warren W Tripp 250 Greg St Sparks, NV 89431	608,440.76	100,000.00
10725-00623	10/17/2006	Thibault, Gary A & Sandra C	4525 Dawn Peak St Las Vegas, NV 89129-3235	105,074.00	1,463.00
10725-02133	1/11/2007	Thompson, Wilma Jean	12 Brewster Way Redlands, CA 92373	200,536.74	50,000.00
10725-00576	10/13/2006	Tischler, Hillari	3055 East Waterman Way Gilbert, AZ 85297-7622	166,246.21	53,783.32
10725-01169	11/10/2006	Tomlin, Donald S	Donald S & Dorothy R Tomlin Ttee 7145 Beverly Glen Ave Las Vegas, NV 89110-4228	2,779,806.00	102,927.00
10725-02103	1/11/2007	Tripp Enterprises Inc A Nevada Corp	Warren W Tripp 250 Greg St Sparks, NV 89431	980,535.84	100,000.00
10725-02105	1/11/2007	Tripp Enterprises Inc Restated Profit Sharing Plan	Warren W Tripp Ttee 250 Greg St Sparks, NV 89431	875,670.12	100,000.00
10725-02104	1/11/2007	Tripp, Warren W	250 Greg St Sparks, NV 89431	1,183,402.50	100,000.00
10725-02163	1/12/2007	Voglis, Marietta	3333 Allen Prky. Unit 1102 Houston, TX 77019	724,292.85	50,000.00
10725-02040	1/11/2007	Zappulla, Joseph G & Carol A	3128 E. Blue Sage Court Gilbert, AZ 85297	1,409,625.48	50,000.00

EXHIBIT A

2405721.1